

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CHARLES MACK ANDERSON,

Plaintiff,

:

Case No. 3:12-cv-139

-vs-

District Judge Timothy S. Black
Magistrate Judge Michael R. Merz

:

WALTER H. RICE. et al.,

Defendants.

RECUSAL ORDER

This case is before the Magistrate Judge on initial random assignment by the computerized filing system. The case is one which is to be assigned to a Magistrate Judge automatically under the Court's General Order of Assignment and Reference.

Because I am named as a Defendant in the case, I am disqualified to deal with the case in a judicial capacity. 28 U.S.C. § 455(b)(4). Therefore I recuse myself and direct the Clerk to reassign the case to one of the other Magistrate Judges at Dayton.

May 14, 2012.

s/ **Michael R. Merz**
United States Magistrate Judge